

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of

Civil Citation No. 73665

Robert Wright Jr.
Derek Henderson
P.O. Box 65321
Baltimore, MD 21209

3702 Crossleigh Court

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on April 20, 2010, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 13-7-112, 115, failure to clean the exterior grounds of all trash, junk and debris on residential property zoned DR 5.5 known as 3702 Crossleigh Court, 21133.

On March 26, 2010, pursuant to § 3-6-205, Baltimore County Code, Inspector Paul Cohen issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$3,400.00 (three thousand four hundred dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on March 3, 2010 for removal of trash and debris from this residential property. This Citation was issued on March 26, 2010.

B. Photographs in the file show junk and debris in the yard of this residence, including lumber and plywood and discarded and broken furniture and household items. Re-inspection on April 16, 2010 found no improvement, with the junk still piled outside. This violates prohibitions against the accumulation of junk, trash and debris on residential property, and prohibitions against creation of possible harborage for rats. BCC Section 13-4-201, Section 13-7-309, Section 13-7-310.

C. Court records show that this property is in foreclosure proceedings and the Circuit Court awarded possession to the lender on April 14, 2010.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$100.00 (one hundred dollars).

IT IS FURTHER ORDERED that after May 12, 2010, the County may enter the property for the purpose of removing all junk, trash and debris, at the property owner's expense.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 27th day of April 2010

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer